

REMARKS

In the Office Action, the Examiner rejected claims 10-18, 21-25, and 29 under 35 U.S.C. §101 as being directed to non-statutory subject matter. The Examiner also rejected claims 1-9, 11, 14, 24, and 31 under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner also rejected claims 10, 12-13, 23-26, and 28-29 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,742,143 to Kaler et al. (“Kaler”). The Examiner also rejected claims 15-18 and 27 under 35 U.S.C. §103(a) as being unpatentable over Kaler. The Examiner further rejected claims 1-9, 11, 14, 19-22, and 30-38 under 35 U.S.C. §103(a) as being unpatentable over Kaler in view of U.S. Patent Application No. 2002/0083217 to Ward et al. (“Ward”).

In this Amendment, Applicants have amended claims 1, 10-11, 14-15, 19-20, 23-24, 27, 31, and 37. Applicants have also added new claims 39-45. Applicants have not canceled any claims. Accordingly, claims 1-45 will be pending after entry of this Amendment.

I. Rejections under §110

In the Office Action, the Examiner rejected claims 10-18, 21-25, and 29 under §101 as being directed to non-statutory subject matter. The Examiner stated that the claims fail to recite any physical articles or objects, and therefore, fail to meet the requirements of being a machine or manufacture. Applicants respectfully submit that the rejected claims recite patentable subject matter. For instance, claim 10 recites a system that has a foundational layer upon which applications are built or executed. Claim 10 also recites an event logging mechanism. For expediting prosecution, however, Applications have amended claims 10 and 23 to recite “a computer comprising storage”. Applications respectfully submit that claim 22 already has the limitation of performing the recited creating and logging on a computer. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of §110 rejections of claims 10-18, 21-25, and 29.

II. Rejections under §112, second paragraph

In the Office Action, the Examiner rejected claims 1-9, 11, 14, 24, and 31 under §112, second paragraph as being indefinite. The Examiner rejected claim 1 for reciting the limitation “the start time, end time and information”. The Examiner also rejected claims 11 and 24 for reciting the limitation “the event object”. The Examiner stated that there are insufficient antecedent basis for these limitation in the claims. In this Amendment, Applicants have amended claim 1 to recite “a start time, end time and information”. Applicants have also amended claims 11 and 24 to recite “an event object”. Applicants have also amended claim 14 to recite “an execution space” instead of “the execution space”.

In the Office Action, the Examiner also rejected claim 31 for reciting “creating, for the event object, an enabled/disabled status”. The Examiner stated that the specification seems to disclose checking the enable/disable status for each event. The Examiner further stated that the Examiner interprets the claim as “creating, for the event, an enabled/disabled status”. In this Amendment, Applicants have amended claim 31 to recite “creating, for the event, an enabled/disabled status” instead of “creating, for the event object, an enabled/disabled status”. Applicants thank the Examiner for the suggestion. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of §112 rejections of claims 1-9, 11, 14, 24, and 31.

III. Claims 1-9

In the Office Action, the Examiner rejected claims 1-9 under §103(a) as being unpatentable over Kaler in view of Ward. Claims 2-9 are dependent directly or indirectly on claim 1.

Claim 1 recites a method that creates an event object for an event to be logged that has not yet been logged within an application. The event object occupies a memory space that is

independent of the application. The method logs within the event object a start time, end time and information regarding the event. The creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that the cited references do not make claim 1 unpatentable for at least the following reasons. *First*, neither Kaler nor Ward disclose, teach, or even suggest a method that performs event object creation and logging on a single computer on which the application executes. In the Office Action, the Examiner cites Figures 3 and 5; and column 11, line 50 to column 12, line 11 of Kaler for disclosing that the creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that Kaler discloses a distributed software application where each machine has at least one in-process event creator (IEC), at least one dynamic event creator (DEC), and at least one local event concentrator (LEC). *See*, column 4, lines 4-9 and column 11, lines 26-30. Kaler further discloses that IEC and DEC create events and LEC collects and sends them to the VSA 100. *See*, column 12, lines 1-5 of Kaler. A LEC is disclosed to only transiently retaining the events before a trigger condition is detected and to immediately transmitting the events to the VSA for logging after the trigger occurs. *See*, column 22, lines 17-30 Kaler that discloses the VSA 100 for logging the events. Kaler, however, discloses that VSA 100 is a control and display station running on a computer which is different than the machines that run the applications. *See*, Figure 2 and column 11, lines 7-34. Accordingly, Applicants respectfully submit that Kaler discloses a distributed computing system and does not disclose a method that performs event object creation and logging on a single computer on which the application executes.

Second, neither Kaler nor Ward disclose, teach, or even suggest a method that creates an event object for an event. In the Office Action, the Examiner cites column 4, lines 9-13 and

column 12, lines 1-11 of Kaler for creating an object. Applicants respectfully submit that the cited paragraphs disclose events but are devoid of any disclosure for creating an event object for an event. In fact, Kaler discloses using circular buffer to retain events. An example is given in column 22, lines 17-22 that discloses a buffer that can store 500 event and writes over the first event when the 501th event comes. Kaler, therefore, does not disclose creating an event object for an event and instead uses a circular buffer with a size specified by the VSA. Accordingly, Applicants respectfully submit that neither Kaler nor Ward disclose, teach, or even suggest a method that creates an event object for an event.

Third, neither Kaler nor Ward disclose, teach, or even suggest a method that logs within the event object a start time and end time of an event. In the Office Action, the Examiner correctly states that Kaler does not disclose logging start time and end time. The Examiner, however, cites page 7, paragraphs 73-74 of Ward for disclosing the start time and end time of an event. Applicants respectfully submit that, although the cited paragraphs contain the words time start, time middle, and time end, these words do not refer to start time and end time of one event. Specifically, time start refers to the time when the disclosed graphic application issues a function call, time middle refers to the time where a library function is retrieved, and time end refers to the time when the library function is called. Accordingly, Applicants respectfully submit that Wade also does not disclose logging the start time and end time of an event within an event object.

In view of the foregoing, Applicants respectfully submit that the cited references do not render claim 1 unpatentable. As Claims 2-9 are dependent on claim 1, Applicants respectfully submit that claims 2-9 are patentable over Kaler and/or Wade for at least the reasons that were discussed above in relation to claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 1-9.

IV. Claims 10-18

In the Office Action, the Examiner rejected claims 10, 12-13 under §102(e) as being anticipated by Kaler. The Examiner also rejected claims 15-18 under §103(a) as being unpatentable over Kaler. The Examiner further rejected claims 11 and 14 under §103(a) as being unpatentable over Kaler in view of Ward. Claims 11-18 are dependent directly or indirectly on claim 10.

Claim 10 recites a computer that includes storage for storing a foundational layer upon which applications are built or executed. The computer also includes storage for storing an event logging mechanism created by the foundational layer. The logging mechanism executes independently of the applications. The mechanism can identify a set of events and can generate an event log for any of the applications, without referencing any event logs of the applications. Each of the events is designated an enabled/disabled status. A disabled status disables all logging for an event.

Applicants respectfully submit that Kaler does not anticipate claim 10 for at least the following reasons. Kaler does not disclose, teach, or even suggest an event logging mechanism that can identify a set of events where the events are designated an enabled/disabled status and where a disabled status disables all logging for an even. In reference to a similar limitation in claim 17, the Examiner correctly states that Kaler does not disclose turning on and off the log separately for each event. The Examiner, however, states that Kaler turns on and off logging for each data source. *See*, pages 7-8 of the Office Action. Applicants respectfully submit that turning on and off logging for each event is different than turning off logging for a data source. In the Office Action, the Examiner has not substantiated the reasons for the Examiner's assertion of the

obviousness rejection. Accordingly, Applicants respectfully submit that the Examiner has failed to satisfy the Examiner's prima facie obligation of establishing the obviousness.

In view of the foregoing, Applicants respectfully submit that the Kaler does not render claim 10 unpatentable. As Claims 11-18 are dependent on claim 10, Applicants respectfully submit that claims 11-18 are patentable over the cited references for at least the reasons that were discussed above in relation to claim 10. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 10-18.

V. Claims 19 and 20

In the Office Action, the Examiner rejected claims 19 and 20 under §103(a) as being unpatentable over Kaler in view of Ward. Claim 20 is dependent on claim 19.

Claim 19 recites an article that includes a computer readable medium. The computer readable medium stores a computer program that can be executed by at least one processor. The computer program includes a set of instructions which when executed, for each event in several of events to be logged that has not yet been logged within an application, causes the following. The instructions, when executed, create an event object. The event object occupies a memory space that is independent of the application. The instructions, when executed, also log within the event object the start time, end time and information regarding the event. The creating and the logging are performed on a single computer on which the application executes.

In the Office Action, the Examiner referred to rejection of claim 1 for claim 19. Therefore, Applicants have used the Examiner's rejection of claim 1 as a basis of discussions in this section. Applicants respectfully submit that the cited references do not disclose, teach or even suggest all limitations of claim 19 for at least the following reasons.

First, neither Kaler nor Ward disclose, teach, or even suggest a computer program that performs event object creation and logging on a single computer on which the application executes. In the Office Action, the Examiner cites Figures 3 and 5; and column 11, line 50 to column 12, line 11 of Kaler for disclosing that the creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that Kaler discloses a distributed software application where each machine has at least one in-process event creator (IEC), at least one dynamic event creator (DEC), and at least one local event concentrator (LEC). *See*, column 4, lines 4-9 and column 11, lines 26-30. Kaler further discloses that IEC and DEC create events and LEC collects and sends them to the VSA 100. *See*, column 12, lines 1-5 of Kaler. A LEC is disclosed to only transiently retaining the events before a trigger condition is detected and to immediately transmitting the events to the VSA for logging after the trigger occurs. *See*, column 22, lines 17-30 Kaler that discloses the VSA 100 for logging the events. Kaler, however, discloses that VSA 100 is a control and display station running on a computer which is different than the machines that run the applications. *See*, Figure 2 and column 11, lines 7-34. Accordingly, Applicants respectfully submit that Kaler discloses a distributed computing system and does not disclose a method that performs event object creation and logging on a single computer on which the application executes.

Second, neither Kaler nor Ward disclose, teach, or even suggest a computer program that creates an event object for an event. In the Office Action, the Examiner cites column 4, lines 9-13 and column 12, lines 1-11 of Kaler for creating an object. Applicants respectfully submit that the cited paragraphs disclose events but are devoid of any disclosure for creating an event object for an event. Furthermore, Kaler discloses using circular buffer to retain events. An example is given in column 22, lines 17-22 that discloses a buffer that can store 500 event and writes over

the first event when the 501th event comes. Kaler, therefore, does not disclose creating an event object for an event and instead uses a circular buffer with a size specified by the VSA. Accordingly, Applicants respectfully submit that neither Kaler nor Ward disclose, teach, or even suggest a method that creates an event object for an event.

Third, neither Kaler nor Ward disclose, teach, or even suggest a computer program that logs within the event object a start time and end time of an event. In the Office Action, the Examiner correctly states that Kaler does not disclose logging start time and end time. The Examiner, however, cites page 7, paragraphs 73-74 of Ward for disclosing the start time and end time of an event. Applicants respectfully submit that, although the cited paragraphs contain the words time start, time middle, and time end, these words do not refer to start time and end time of one event. Specifically, time start refers to the time when the disclosed graphic application issues a function call, time middle refers to the time where a library function is retrieved, and time end refers to the time when the library function is called. Accordingly, Applicants respectfully submit that Wade also does not disclose logging the start time and end time of an event within an event object.

Accordingly, Applicants respectfully submit that the cited references do not render claim 19 unpatentable. As Claim 20 is dependent on claim 1, Applicants respectfully submit that claim 20 is patentable over Kaler and/or Wade for at least the reasons that were discussed above in relation to claim 19. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 19 and 20.

VI. Claims 21 and 22

In the Office Action, the Examiner rejected claims 21 and 22 under 35 U.S.C. §103(a) as being unpatentable over Kaler in view of Ward. Claim 22 is dependent on claim 21.

Claim 21 recites an apparatus that includes means for creating, for an event to be logged that has not yet been logged within an application, an event object. The event object occupies a memory space that is independent of the application. The apparatus also includes means for logging within the event object the start time, end time and information regarding the event. The creating and the logging are performed on a single computer on which the application executes.

In the Office Action, the Examiner referred to rejection of claim 1 for claim 21. Therefore, Applicants have used the Examiner's rejection of claim 1 as a basis of discussions in this section. Applicants respectfully submit that the cited references do not disclose, teach or even suggest all limitations of claim 21 for at least the following reasons.

First, neither Kaler nor Ward disclose, teach, or even suggest an apparatus that includes means to perform event object creation and logging on a single computer on which the application executes. In the Office Action, the Examiner cites Figures 3 and 5; and column 11, line 50 to column 12, line 11 of Kaler for disclosing that the creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that Kaler discloses a distributed software application where each machine has at least one in-process event creator (IEC), at least one dynamic event creator (DEC), and at least one local event concentrator (LEC). *See*, column 4, lines 4-9 and column 11, lines 26-30. Kaler further discloses that IEC and DEC create events and LEC collects and sends them to the VSA 100. *See*, column 12, lines 1-5 of Kaler. A LEC is disclosed to only transiently retaining the events before a trigger condition is detected and to immediately transmitting the events to the VSA for logging after the trigger occurs. *See*, column 22, lines 17-30 Kaler that discloses the VSA 100 for logging the events. Kaler, however, discloses that VSA 100 is a control and display station running on a computer which is different than the machines

that run the applications. *See*, Figure 2 and column 11, lines 7-34. Accordingly, Applicants respectfully submit that Kaler discloses a distributed computing system and does not disclose a method that performs event object creation and logging on a single computer on which the application executes.

Second, neither Kaler nor Ward disclose, teach, or even suggest an apparatus that includes means for creating an event object for an event. In the Office Action, the Examiner cites column 4, lines 9-13 and column 12, lines 1-11 of Kaler for creating an object. Applicants respectfully submit that the cited paragraphs disclose events but are devoid of any disclosure for creating an event object for an event. Furthermore, Kaler discloses using circular buffer to retain events. An example is given in column 22, lines 17-22 that discloses a buffer that can store 500 event and writes over the first event when the 501th event comes. Kaler, therefore, does not disclose creating an event object for an event and instead uses a circular buffer with a size specified by the VSA. Accordingly, Applicants respectfully submit that neither Kaler nor Ward disclose, teach, or even suggest a method that creates an event object for an event.

Third, neither Kaler nor Ward disclose, teach, or even suggest an apparatus that includes means for logging within the event object a start time and end time of an event. In the Office Action, the Examiner correctly states that Kaler does not disclose logging start time and end time. The Examiner, however, cites page 7, paragraphs 73-74 of Ward for disclosing the start time and end time of an event. Applicants respectfully submit that, although the cited paragraphs contain the words time start, time middle, and time end, these words do not refer to start time and end time of one event. Specifically, time start refers to the time when the disclosed graphic application issues a function call, time middle refers to the time where a library function is retrieved, and time end refers to the time when the library function is called. Accordingly,

Applicants respectfully submit that Wade also does not disclose logging the start time and end time of an event within an event object.

Accordingly, Applicants respectfully submit that the cited references do not render claim 21 unpatentable. As Claim 22 is dependent on claim 21, Applicants respectfully submit that claim 22 is patentable over Kaler and/or Ward for at least the reasons that were discussed above in relation to claim 21. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 21 and 22.

VII. Claims 23-29

In the Office Action, the Examiner rejected claims 23-26, and 28-29 under §102(e) as being anticipated by Kaler. The Examiner also rejected claim 27 under §103(a) as being unpatentable over Kaler. Claims 24-29 are directly or indirectly dependent on claim 23.

Claim 23 recites a computer that includes computer readable storage for storing a foundational layer upon which applications are executed. The computer also includes computer readable storage for storing a first application that can execute on the foundational layer. The computer also includes computer readable storage for storing a second application that can execute on the foundational layer. The computer also includes computer readable storage for storing an event-logging mechanism that can execute on the foundational layer. The event logging mechanism can function interoperably with but separately from the first and second applications. The event logging mechanism can generate an event log for each of the first and second applications. At least one of the first and second applications does not generate an event log. The event-logging mechanism is separate from the first and second applications and is not compiled with the applications. The event logging mechanism creates an event object for each of the events. Each event object is designated for log information to be stored and later accessed for analysis.

Applicants respectfully submit that Kaler does not anticipate claim 23 for at least the following reasons. Kaler does disclose, teach or even suggest an event logging mechanism that creates an event object for each of the events where each event object is designated for log information to be stored and later accessed for analysis. Specifically, Kaler discloses that in-process event creators (IECs) and dynamic event creators (DECs) pass the events to a local event collector (LEC) in the local computer. Each LEC in turn sends the events back to the remote VSA. See, column 13, lines 10-26 of Kaler. Kaler further discloses that analysis is done by the VSA. See, column 14, lines 63-66 of Kaler. Accordingly, Applicants respectfully submit that Kaler teaches away from an event logging mechanism that creates an event object that object is designated for log information to be stored and later accessed for analysis.

In view of the foregoing, Applicants respectfully submit that Kaler does not anticipate claim 23. As Claims 24-29 are dependent on claim 23, Applicants respectfully submit that claims 24-29 are patentable for at least the reasons that were discussed above in relation to claim 23. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 23-29.

VIII. Claims 30-38

In the Office Action, the Examiner rejected claims 30-38 under §103(a) as being unpatentable over Kaler in view of Ward. Claims 31-38 are directly or indirectly dependent on claim 30.

Claim 30 recites an event logging method that for each of a several events that need to be logged but have not yet been logged within several applications does the followings. The method creates an event object. The method also stores the event object in a first memory space that is uniquely allocated for the event logging method. The first memory space is separate from a second memory space allocated for several applications. The method logs within the event object

the start time, end time and information regarding the event. The first and second memory spaces are within a third memory space of a single computer.

In the Office Action, the Examiner referred to rejection of claim 1 for claim 30. Therefore, Applicants have used the Examiner's rejection of claim 1 as a basis of discussions in this section. Applicants respectfully submit that the cited references do not disclose, teach or even suggest all limitations of claim 30 for at least the following reasons.

First, neither Kaler nor Ward disclose, teach, or even suggest a method that performs event object creation and logging for each of several events within the memory space of a single computer on which memory space is also allocated for the applications. In the Office Action, the Examiner cites Figures 3 and 5; and column 11, line 50 to column 12, line 11 of Kaler for disclosing that the creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that Kaler discloses a distributed software application where each machine has at least one in-process event creator (IEC), at least one dynamic event creator (DEC), and at least one local event concentrator (LEC). *See*, column 4, lines 4-9 and column 11, lines 26-30. Kaler further discloses that IEC and DEC create events and LEC collects and sends them to the VSA 100. *See*, column 12, lines 1-5 of Kaler. A LEC is disclosed to only transiently retaining the events before a trigger condition is detected and to immediately transmitting the events to the VSA for logging after the trigger occurs. *See*, column 22, lines 17-30 Kaler that discloses the VSA 100 for logging the events. Kaler, however, discloses VSA 100 as a control and display station running on a computer which is different than the machines that run the applications. *See*, Figure 2 and column 11, lines 7-34. Accordingly, Applicants respectfully submit that Kaler discloses a distributed computing system and does not disclose a

method that performs event object creation and logging for each of several events within the memory space of a single computer on which memory space is also allocated for the applications.

Second, neither Kaler nor Ward disclose, teach, or even suggest a method that creates an event object for several events. In the Office Action, the Examiner cites column 4, lines 9-13 and column 12, lines 1-11 of Kaler for creating an object. Applicants respectfully submit that the cited paragraphs disclose events but are devoid of any disclosure for creating an event object for an event. Furthermore, Kaler discloses using circular buffer to retain events. An example is given in column 22, lines 17-22 that discloses a buffer that can store 500 event and writes over the first event when the 501th event comes. Kaler, therefore, does not disclose creating an event object for an event and instead uses a circular buffer with a size specified by the VSA. Accordingly, Applicants respectfully submit that neither Kaler nor Ward disclose, teach, or even suggest a method that creates an event object for an event.

Third, neither Kaler nor Ward disclose, teach, or even suggest a method that logs within several event objects a start time and end time of an event. In the Office Action, the Examiner correctly states that Kaler does not disclose logging start time and end time. The Examiner, however, cites page 7, paragraphs 73-74 of Ward for disclosing the start time and end time of an event. Applicants respectfully submit that, although the cited paragraphs contain the words time start, time middle, and time end, these words do not refer to start time and end time of one event. Specifically, time start refers to the time when the disclosed graphic application issues a function call, time middle refers to the time where a library function is retrieved, and time end refers to the time when the library function is called. Accordingly, Applicants respectfully submit that Wade also does not disclose logging the start time and end time of an event within an event object.

Accordingly, Applicants respectfully submit that the cited references do not render claim 30 unpatentable. As Claims 31-38 are dependent on claim 30, Applicants respectfully submit that

claims 31-38 are patentable for at least the reasons that were discussed above in relation to claim 30. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejections of claims 30-38.

IX. New Claims

In this Amendment, Applications have added new claims 39-45. Applicants submit that these claims are fully supported by the specification and are allowable over the cited references.

CONCLUSION

In view of the foregoing, it is submitted that all pending claims, namely claims 1-38 are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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